

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JABORIE BROWN,

Petitioner,

v.

WARDEN OF U.S.P. ATWATER,

Respondent.

Case No. 1:20-cv-00233-SAB-HC

ORDER DENYING PETITIONER'S
MOTION TO COMPEL

(ECF No. 16)

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On November 6, 2020, the Court received the instant motion, wherein Petitioner moves to compel the government to respond to his § 2241 petition. Petitioner states that the government's last due date was July 27, 2020 and the government failed to respond in a timely manner. (ECF No. 16).

On July 28, 2020, the Court granted Respondent until September 10, 2020 to file a response to the petition. (ECF No. 11). On September 10, 2020, Respondent filed a motion to stay the instant proceeding pending adjudication of Petitioner's § 2255 motion in the United States District Court for the Southern District of Florida. (ECF No. 12). On October 22, 2020, the Court granted the motion to stay and ordered Respondent to file a status report by December 22, 2020. (ECF No. 15).

1 Given that the instant matter has been stayed pending adjudication of Petitioner's § 2255
2 motion in the United States District Court for the Southern District of Florida and there is no
3 current deadline for filing a response to the petition, the Court HEREBY DENIES Petitioner's
4 motion to compel.

5 IT IS SO ORDERED.

6 Dated: November 30, 2020

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UNITED STATES MAGISTRATE JUDGE